

AF/1733

**TRANSMITTAL LETTER
(General - Patent Pending)**

Docket No.
P50-0071

In Re Application Of: **Robert Vanstory TEEPLE et al.**

Serial No.
09/995,340

Filing Date
11/27/2001

Examiner
Justin R. FISCHER

Group Art Unit
1733

Title:

Tire with multiple carcass reinforcement plies having beads of specified structure

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Response to an Office Action mailed April 5, 2004

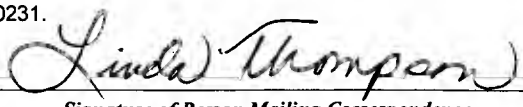
in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☐ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. **13-3085** as described below. A duplicate copy of this sheet is enclosed.
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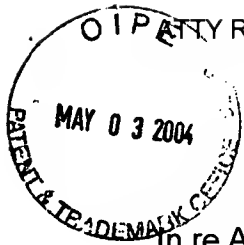

Signature

Dated: **28 April 2004**

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I certify that this document and fee is being deposited on 04/29/2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.	
	
Signature of Person Mailing Correspondence	
Linda Thompson	
Typed or Printed Name of Person Mailing Correspondence	

CC:



ATTY REF: P50-0071

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Robert Vanstory TEEPLE et al.) Examiner: Justin R. FISCHER
Application No.: 09/995,340) Group Art Unit: 1733
Filing Date: November 27, 2001)
Title: Tire with multiple carcass reinforcement)
plies having beads of specified structure)

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This is in response to the Office Action mailed April 5, 2004.

In the Action, the Examiner repeated the rejection of pending claims 1-4 and 6 under 35 USC § 103(a) as unpatentable over International Publication WO 02/076767 (Chung) in view of page 373 of the Mechanics of Pneumatic Tires (1971). The Chung publication was cited as being prior art under 35 USC § 102(e), having an effective date of 31 August 2001.

The Examiner determined that the Declaration under 37 CFR § 1.131, submitted with the response of January 20, 2004, was not effective in overcoming the Chung publication. The Examiner's reasons were that the Declaration did not specifically point out the subject matter conceived and reduced to practice before the effective date of the Chung publication.

The Declaration included a sheet of drawings showing the claimed arrangements of two reinforcing plies for a tire, and particularly, the relative arrangement of the plies in the bead of the tire. Applicants believe this does disclose, on its face, sufficiently concise novel subject matter to overcome the Chung publication. However, in the interests of expediting prosecution, and to overcome whatever deficiencies exist in the Declaration, Applicants hereby submit a Supplemental Declaration under 37 CFR

§1.131 to describe in detail both information in the inventors' possession and that which was conceived and reduced to practice prior to August 31, 2001.

As stated in the Supplemental Declaration, the present invention is an improvement on the single reinforcing ply tire disclosed in US Patent No. 5,971,047 to Drieux et al., which is owned in common with the present invention. The Drieux patent is described in detail in the Background section of the present application.

Other than the multiple ply arrangement, which the Applicants conceived and reduced to practice, the subject matter the Examiner cited in the Chung publication is actually found in the earlier Drieux patent, i.e., the inclination angle of the turn-ups on the radially inner and outer sides of the wedge (column 2, lines 42-46), the Shore Hardness of the wedge rubber (column 2, lines 46-49), the bead filler disposed radially outward of the bead (column 3, lines 9-17), and the rubber-coated bead constructions (column 2, lines 58-68; column 3, lines 4-8). This subject matter was therefore in the inventors' possession at the time of the invention. With the multiple ply arrangements conceived and reduced to practice, the inventors formed a new combination based on the Drieux tire.

As pointed out in the Supplemental Declaration, the claimed arrangement of the multiple reinforcing plies is shown in the Inventors' earlier created document. The Supplemental Declaration demonstrates how these drawings conform to the claim language as evidence of conception and reduction to practice.

The arrangement and combination of multiple reinforcing plies in a tire as disclosed in the Drieux patent is submitted to be novel and unobvious.

In view of the Supplemental Declaration and the above remarks, Applicants respectfully request that the Chung publication be excluded as citable art, and the rejection accordingly withdrawn. Because the Chung publication was the base reference, Applicants request that upon removal of the Chung publication the application be allowed.

The Examiner is invited to telephone the undersigned if there are any questions or to expedite any other matters that may remain in this case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Martin Farrell", with a long horizontal flourish extending to the right.

Martin Farrell
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Date: *April 26, 2004*

Attachment: Declaration under 37 CFR §1.131